

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Anastacio Garcia III
A202 085 317

YOB: 1972

Principal
United States

JAN 08 2015

Case Number:
M-15- 0019 -M

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 6, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Gustavo Ordaz-Franco and Domingo Ramirez-Morales, citizens and nationals of Mexico, along with five (5) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On December 19, 2014, Border Patrol Agents apprehended a group of illegal aliens. One of the subjects apprehended, told agents he was harbored at a house in Alamo, Texas. A man known to him as Tacho, was in charge of the house. The subject felt like he was mistreated while he was being harbored, so he accompanied the agents on a custodial interview in order to show the agents where the house was. The illegal alien also stated there were an additional 15 illegal aliens being held at the house when he left. During the custodial interview, the address was discovered to be 485 Cripple Creek Circle in Alamo, Texas.

Continued on the attached sheet and made a part of this complaint:

Approved
Joseph Leonard

☒ Yes ☐ No

Signature of Complainant

Derek Conrow Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

January 8, 2015

Date

at McAllen, Texas

City and State

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15- 0019 -M

RE: Anastacio Garcia III

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CONTINUATION:

Beginning on December 22, 2014, agents started surveillance on 485 Cripple Creek Circle. On three separate occasions, agents observed three different vehicles arrive, and shortly after, leave after picking someone up.

On January 6, 2015, a green Ford Escape arrived, driven by a woman, and picked up a male. The Ford Escape then travelled to HEB and later returned to the house at approximately 1:45 pm. The male subject, later identified as Anastacio GARCIA III, (USC) exited the vehicle and entered the house. Two other unidentified males exited the house and offloaded the grocery bags.

At approximately 5:10 pm, agents approached the residence at 485 Cripple Creek Circle. GARCIA was outside in his yard with a small child. Agents read GARCIA his rights and he agreed to speak to agents. He told agents there were 5 illegal aliens inside his house and gave them consent to enter. Agents entered residence and apprehended 7 illegal aliens. The child GARCIA was with, was his own, and was picked up by the child's grandmother. GARCIA and the 7 undocumented aliens were placed under arrest and transported to the Weslaco Border Patrol Station for processing.

NOTE: There was 1 accompanied minor within the group found at the house. No weapons were found.

PRINCIPAL'S STATEMENT:

Anastacio GARCIA III was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

GARCIA told agents he does not have a job, but he supports himself by harboring illegal aliens in his house at 485 Cripple Creek Circle in Alamo, Texas. He has been involved in alien smuggling for approximately 4 months. According to GARCIA, he is paid \$100 (USD) per alien he harbors. The people who paid GARCIA, who he did not want to disclose, would also give him money to feed the illegal aliens. He stated he would feed them three times per day using the money they gave him.

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CONTINUATION:

MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Gustavo Ordaz-Franco stated he was charged \$3,500 (USD) to be smuggled to Atlanta, Georgia. After illegally crossing the Rio Grande River, he was picked up by an unknown man and transported to the house where he was arrested. There, the driver told him to enter the house. Once inside the residence, GARCIA greeted him and gave him a change of clothes and told him to shower. GARCIA also allowed the smuggled aliens to wash their clothes, as it had been raining and their clothes were dirty. Ordaz told agents he was at that house for 4 days, and during his stay, he was never mistreated, nor did he ever see any weapons in the house. Ordaz stated GARCIA was the only one in charge and providing food at the house, and he identified GARCIA in a photo lineup as the caretaker.

2- Domingo Ramirez-Morales stated he illegally crossed the Rio Grande River and was picked up near a highway and transported to the house where he was arrested. According to Ramirez, he stayed in the house for 5 days before being arrested. At the house, GARCIA was in charge, and the person who would tell the group when to eat and to stay inside. Ramirez identified GARCIA in a photo lineup as the man in charge of the house where he was being harbored.